



PLANNING, BUILDING AND DEVELOPMENT

Noel C. Taylor Municipal Building  
215 Church Avenue, SW, Room 166  
Roanoke, Virginia 24011  
540.853.1730 fax 540.853.1230  
planning@roanokeva.gov

March 2, 2015

The Honorable David A. Bowers, Mayor  
Members of City Council  
Roanoke, Virginia

Dear Mayor and Members of Council:

As Chairman of the Roanoke City Board of Zoning Appeals for 2014, it is my honor to present to you the annual report for July 1, 2013, through June 30, 2014. The Board of Zoning Appeals held eleven (11) regular public hearings, during which there were two (2) variance requests, eighteen (18) special exception (use) requests, and no appeals of Zoning Administrator's decision.

In the current year, the Board of Zoning Appeals' goals are: first, continue to serve the citizens and developers of the community in furthering the use, development, and redevelopment of property through variances and special exceptions; second, to continue to act as a discretionary administrative body and make decisions in matters where a person or party within the community is aggrieved by a decision made in the administration or enforcement of the zoning ordinance; and lastly, to recommend to the Planning Commission and City Council necessary revisions to the Zoning Ordinance in order for the Board to continue to provide fair and equitable service to the community and its citizens. The Board continues to work with the City Attorney's Office to assure that our procedures promote a concise and fair process.

On behalf of all the Board members, I would like to express our appreciation for Council's ongoing efforts to improve the effectiveness of the Board of Zoning Appeals through funding for the training and certification of the Board members.

Sincerely,

*W. Michael Woolwine/tmc*

W. Michael Woolwine, Chair  
Board of Zoning Appeals

## **CITY OF ROANOKE BOARD OF ZONING APPEALS**

### **Appointment of the Board**

The Council of the City of Roanoke appoints a Board of Zoning Appeals in accordance with enabling legislation as set forth by the Commonwealth of Virginia, which provides that the said Board of Zoning Appeals may, in appropriate cases and subject to appropriate conditions and safeguards, vary the application of the terms of the zoning ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained.

### **Membership of the Board**

The Board of Zoning Appeals shall consist of seven members, appointed for a term of three years and removable for just cause by City Council, upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. Members may be reappointed and may serve up to three consecutive, three-year terms.

### **Powers of the Board**

The Board is appointed by City Council to act as a discretionary administrative body to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by administrative officials in the enforcement of the zoning ordinance adopted pursuant thereto.

The Board is charged with the responsibility to hear, decide and authorize special exceptions to the terms of the zoning ordinance based upon certain criteria and findings as specified in the ordinance; and to hear, decide, and authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance that would not be contrary to the public interest where a literal enforcement of the provisions of such ordinance would result in unnecessary hardship, provided in all cases, the spirit of the ordinance shall be observed and substantial justice done.

## SUMMARY OF BOARD ACTION

July 1, 2013, through June 30, 2014

During the fiscal year of July 1, 2013, through June 30, 2014, the Board of Zoning Appeals heard twenty (20) requests. These applications consisted of two (2) Variance requests, eighteen (18) Special Exception requests, and zero (0) Appeals.

### SUMMARY

VARIANCES 2  
VARIANCES DENIED 2

SPECIAL EXCEPTIONS APPROVED 17  
SPECIAL EXCEPTIONS WITHDRAWN 0

APPEALS 0  
APPEALS WITHDRAWN 0  
APPEALS ON HOLD 0

### ATTENDANCE

There were eleven (11) regular public hearings held in this fiscal year.

BOARD MEMBER	ATTENDANCE
Terry Wayne Cundiff	11 of 11
Bryan Musselwhite	7 of 11
Drew Kepley	9 of 11
Mike Woolwine	10 of 11
Roger Malouf	11 of 11
Rob Logan	11 of 11
Steven Trompeter	9 of 11 (Resigned June 2014)

## July 1, 2013, through June 30, 2014, Board of Zoning Appeals Cases

File No.	Applicant	Location/ Tax Map No.	Request	Code Section	Result
ZA130017	John D'Alessandro, ARD Properties, LLC	2263 Maiden Lane, S.W., #1432021	SPECIAL EXCEPTION: To permit an increase in volume, area, or extent of nonconforming use not exceeding an aggregate of fifteen (15%) of a nonconforming multifamily use	36.2-705	Approved with conditions
ZA130018	John Sizemore	1519 11th Street, N.E., #3061506	SPECIAL EXCEPTION: To allow the construction of a wireless telecommunications facility (199 foot tower)	36.2-432	Approved
ZA130019	Aaron Eanes, Structures Design/Build, LLC	1835 Oxford Avenue, S.W., #1322315	SPECIAL EXCEPTION: To allow the construction of a two-family dwelling	36.2-311	Approved with condition
ZA130020	Jason D. Newsome	2001 Patterson Ave, S.W., #1312709	SPECIAL EXCEPTION: To permit outdoor storage as an accessory use to a General or Special Trade Contractor or Tradesman's Shop	36.2-315	Approved
ZA130021	John M. Gauldin, II	505 Riverland Road, S.E., #4031202	SPECIAL EXCEPTION: To allow the construction of a two-family dwelling	36.2-311	Approved with conditions

## July 1, 2013, through June 30, 2014, Board of Zoning Appeals Cases

File No.	Applicant	Location/ Tax Map No.	Request	Code Section	Result
ZA130022	Lori Reed/Ian Cole Holdings, LLC	425 Elm Avenue, S.W., #1020117	SPECIAL EXCEPTION: To permit an increase in volume, area, or extent of nonconforming use not exceeding an aggregate of fifteen percent (15%) of a nonconforming multifamily use	36.2-705(c)	Approved with conditions
ZA130023	D. H. Griffin Wrecking Company, Inc.	3355 Shenandoah Avenue, N.W., 0 Salem Turnpike, N.W., and 0 Westwood Boulevard, N.W., #2640313, #2640349, and #2640326	SPECIAL EXCEPTION: To operate a recycling center and wrecker yard	36.2-322	Denied
ZA130024	Roanoke Redevelopment and Housing Authority	1631 Rorer Avenue, S.W., #1211709	SPECIAL EXCEPTION: To allow the construction of a two-family dwelling	36.2-311	Approved
ZA130025	Roanoke Redevelopment and Housing Authority	1801 Rorer Avenue, S.W., #1312215	SPECIAL EXCEPTION: To allow the construction of a two-family dwelling	36.2-311	Approved with conditions
ZA130026	Roanoke River Investments, LLC	11 Old Woods Avenue, S.E., #4040402	SPECIAL EXCEPTION: To allow utility distribution collection, transitional (off-site trash/refuse collection)	36.2-315	Approved with conditions

## July 1, 2013, through June 30, 2014, Board of Zoning Appeals Cases

File No.	Applicant	Location/ Tax Map No.	Request	Code Section	Result
ZA130027	Roanoke River Investments, LLC	8 Old Whitmore Avenue, S.W., and 12 Old Whitmore Avenue, S.E., #4040406 and #4040407	SPECIAL EXCEPTION: To permit a drive-through facility	36.2-315	Approved with condition
ZA140001	Chelsea Powell	2224 Westover Avenue, S.W., #1432013	SPECIAL EXCEPTION: To allow an agricultural operation	36.2-311	Approved with conditions
ZA140002	River Laker	631 Allison Avenue, S.W., #1432013	SPECIAL EXCEPTION: To permit a bed and breakfast	36.2-311	Approved
ZA140003	Eugene Bane, III, on behalf of Evolution 3, LLC	814 Day Avenue, S.W., #1120407	SPECIAL EXCEPTION: To permit an increase in volume, area, or extent of nonconforming use not exceeding an aggregate of fifteen percent (15%) of a nonconforming multifamily use	36.2-705(c)3	Approved with conditions
ZA140004	Adam Skrzyszewski, on behalf of Professional Permits	4210 Franklin Road S.W., #5470116	VARIANCE: To allow an aggregate sign area of 220 square feet in lieu of the 99 square feet requirements for building mounted signage	36.2-668	Denied

## July 1, 2013, through June 30, 2014, Board of Zoning Appeals Cases

<b>File No.</b>	<b>Applicant</b>	<b>Location/ Tax Map No.</b>	<b>Request</b>	<b>Code Section</b>	<b>Result</b>
ZA140005	Adam Skrzyszewski, on behalf of Professional Permits	4210 Franklin Road, S.W., #5470116	VARIANCE: To allow an addition to a freestanding sign with a sign area of 166.8 feet in lieu of the maximum requirements of 100 square feet	36.2-668	Denied
ZA140006	New Legacy Partners LLC	901 Patterson Avenue, S.W., #1112118	SPECIAL EXCEPTION: To permit a two- family dwelling	36.2-311	Approved
ZA140007	Western Virginia Water Authority	2012 Jefferson Street, S.E., #4060502	SPECIAL EXCEPTION: To permit the expansion of a nonconfirming use consisting of an above-ground storage tank and generator	36.2-705	Approved with conditions
ZA140008	Ann Maree White and Dustin Eshelman	2108 Broadway Avenue, S.W.	SPECIAL EXCEPTION: To establish an eating and drinking establishment, abutting a residential district	36.2-315	Approved with conditions
ZA140009	Third Capital, Inc.	835 and 0 Korte Street, S.W., and 0 Railroad Avenue, S.W., 31410226, b1510104, 1510201, 1510202	SPECIAL EXCEPTION: To establish a recycling center	36.2-322	Approved with conditions